

Image RCE/1638



PATENT  
Attorney Docket No.: 056159-5042-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: FRENKEN et al.

Confirmation No.: 9341

Application No.: 09/737,476

Group Art Unit: 1638

Filed: December 18, 2000

Examiner: Collins, C.E.

For: PRODUCTION OF ANTIBODIES

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Commissioner for Patents

U.S. Patent and Trademark Office

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Arlington, VA 22202

Sir:

**REQUEST FOR CONTINUED  
EXAMINATION (RCE) TRANSMITTAL**

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

1. Submission required under 37 C.F.R. § 1.114

- a. ☒ Please enter:
- i. ☒ Please enter and consider the Response under 37 C.F.R. § 1.116 previously filed on **December 3, 2003**.
- ii. ☐ Please consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_.
- iii. ☐ the enclosed new Amendment and Response
- b. ☐ Enclosed:
- i. ☐ Supplemental Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement
- iv. ☐ Form 1449
- v. ☐ \_\_\_\_\_ references cited on Form 1449

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## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; fee under 37 C.F.R. § 1.17(i) required.)
- b. ☐ Other \_\_\_\_\_.

## 3. Fees Calculation

- a. RCE Fee required under 37 C.F.R. § 1.17(e)

- ☒ **\$770.00**
- ☐ \$385.00 (for small entity)

- b. Additional Claims

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	14	minus	20	0	x \$18 each =	+ \$
Independent Claims (37 C.F.R. §1.16(b))	2	minus	3	0	x \$86 each =	+ \$
[ ] First presentation of Multiple dependent claim(s)					\$290.00	+ \$
SUB-TOTAL =						\$
Reduction by ½ for filing by a small entity						- \$
TOTAL FEE =						\$

## c. Extension of Time

- ☒ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicants have inadvertently overlooked the need for a petition and fee for extension of time.
- ☐ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below.

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>Fee for Small Entity</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 420.00	\$ 210.00
<input type="checkbox"/> three months	\$ 950.00	\$ 475.00
<input type="checkbox"/> four months	\$ 1,480.00	\$ 740.00

The extension of time fee for this request: \$\_\_\_\_\_


If an additional extension of time is required, please consider this a Petition therefor.

4. Fee Payment

- ☒ The Director is hereby authorized to charge the Deposit Account No. 50-0310 in the total amount of **\$770.00**, the RCE filing fee.
- ☒ EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

**MORGAN LEWIS & BOCKIUS LLP**

By:   
**Bonnie Weiss McLeod**  
Reg. No. 43,255

Dated: January 23, 2004

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